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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,483	12/12/2005	George Marmaropoulos	US030179US	3120

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

FISHMAN, MARINA

ART UNIT	PAPER NUMBER
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2832

MAIL DATE	DELIVERY MODE
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06/28/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/560,483

Applicant(s)

MARMAROPOULOS ET AL.

Examiner

Marina Fishman

Art Unit

2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. —
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

General status

1. This is a Final Action on the Merits. Claims 1 - 18 are pending in the case and are being examined. The Examiner has withdrawn the election requirement in the previous office action and all the non-elected claims have been merged and examined. The election requirement stays withdrawn, and thus claims 1-18 are pending and being examined.

Specification

2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a

nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 – 3, 5 – 7, 15, 16 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Gartland [US 6,352,149].

Gartland discloses a fabric switch comprising:

- an inner cord [701, 712] including at least two conductive cords [segments of cord 712 are taken as cords] releasably connected in linear series [segments are connected in linear series to make a single cord and when the cord is broken, then the connection between the segments is released]; and a non-conductive cord [835, 1309] enclosing the inner cord;
- wherein the non-conductive cord is stretchable to release the contact between the at least two conductive cords electrically [the rip or tear of the cord is taken as stretching and the electrical discontinuity occurs when the wire 712 is broken];

Regarding Claims 2 and 3, the non-conductive cord is a moisture resistant and is in a loop form (being a belt form). Regarding Claim 5, the inner cord is connected to an

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electronic device [Figure 5]. Regarding Claims 6 and 7, the inner cord is connected to external power source [1232, Figure 12] and also, is connected to electronic signals [1233].

5. Claims 9 – 13 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by White et al. [US 6,796,578].

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

White et al. disclose a fabric switch comprising:

- a matrix of woven fibers [20], the woven fibers being electrically non-conductive;
- a pair of conductive fibers [32, column 5, lines 31-47] interwoven in the woven fibers so as to form an electrical circuit; and;
- wherein the conductive fibers come in contact electrically when the woven fibers are in relaxed mode and come apart when in a stretch mode (i.e. when the air bag is deployed).

Regarding Claims 10 -12, the air bag is coupled to squib and hence is coupled to an electronic device, also it is connected to car battery, hence is connected to the power source.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Gartland [US 6,352,149].

Regarding Claims 4 and 8, Gartland discloses the instant claimed invention except for use of fabric in a garment or furniture. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the switch in a car seat fabric, so as to indicate condition of the fabric in presence of a driver or passenger.

8. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over White et al. [US 6,796,578].

Regarding Claim 14, White et al. disclose the instant claimed invention except for use of fabric in furniture. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the switch in a car seat fabric, so as to indicate condition of the fabric in presence of a driver or passenger.

Response to Arguments

9. Applicant's arguments filed 5/29/07 have been fully considered but they are not persuasive.

The Applicant's argument (01/24/2007) in response to election requirement mailed 11/14/2006 was convincing, therefore the Examiner has already withdrawn the election requirement in the previous office action and all the non-elected claims have been merged and examined. The election requirement stays withdrawn, and thus claims 1-18 are pending and being examined.

The Applicant has declined to add additional section headings, as they are not required in accordance with MPEP. §608.01(a). The Examiner could not understand Applicant's refusal and would like to point out that the request was made under 36 CFR 1.77(b), which clearly requires separate section headings.

The Applicant has also argued that Gartland does not expressly or inherently disclose all of the elements set forth in independent claims 1, 15 and 18. Thus, Gartland does not anticipate claims 1, 15 and 18 or the claims, which depend therefrom. The Examiner respectfully disagrees. The segments [712] of cord [701] of Garland, constitutes a plurality of cords, or two inner cords connected in series and upon application of force (upon breakage), the cords are separated and causes circuit discontinuity, thus the reference of Gartland meets the claim limitations.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marina Fishman whose telephone number is 571-272-1991. The examiner can normally be reached on 7-5 M-T.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marina Fishman
June 21, 2007


ELVIN ENAD
SUPERVISORY PATENT EXAMINER
25 JUN 07

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WO 2004/114339

Replacement Sheet

PCT/IB2004/050983

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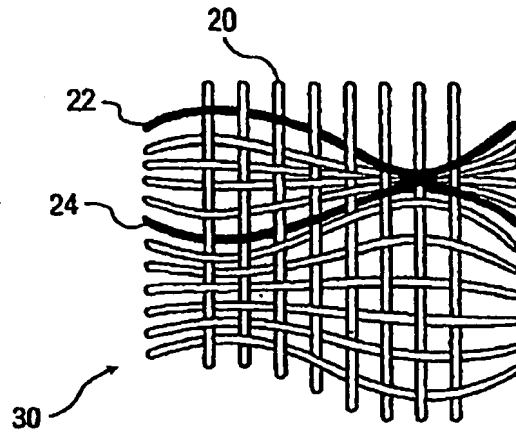


FIG. 2A

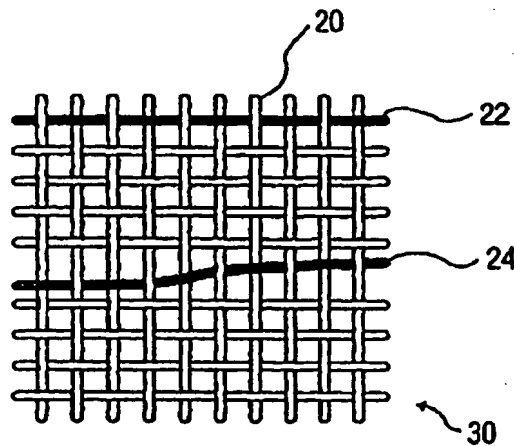


FIG. 2B

*Approved 07/23/2007
Jed*